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THE RIGHT TO STRIKE

By Felix Morley

Termination of the coal strike, after 17 days with little or no production of this basic fuel, has lifted a heavy load of anxiety from the minds of men. In shattered Europe there is renewed hope that the food shipments essential to prevent actual starvation in congested areas will now get through. In our own country another unnecessary block to those productive forces which alone can achieve national and world recovery has been removed.

But rejoicing is tempered by realization that all of the underlying causes of our social disorder are still present. Indeed the bitterness engendered by the abortive strike threatens more and worse industrial crises at no distant date. The foolish and unfair effort to pillory a single labor leader as personally responsible for the recent breakdown is an ominous reflection of over-simplified thinking.

The coal strike was a problem in itself, of course. But even more it was a symptom of a fundamental maladjustment which must be indentified and eliminated. To do this is an inescapable duty of the new Congress, which will convene in three weeks' time. The responsibility of the Eightieth Congress is the heavier, and the more difficult to fulfill, because there is little sign of constructive executive leadership.

The dangerous issue behind the recent strike is not removed and it is therefore vital to isolate and define it. This is the easier because the problem still to be solved has nothing to do with the capacity of the coal industry to meet the miners' demands, nor with the merit of the legal steps taken by the Administration in denying them. These complicated matters have served to confuse, rather than clarify, the real issue.

The cartoonist instinct to depict John L. Lewis in personal conflict with a benevolent Uncle Sam came closer to the essential point. But it may properly be asked just when, and why, is it a nefarious matter for an American citizen, especially one placed in a post of leadership by a large body of his fellows, to question the authority of the State? We seem to forget that the restriction and limitation of the powers of Uncle Sam are primary purposes of our entire system of government. We seem to be confusing Uncle Sam with Uncle Joe.

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The inner, and alarming, significance of the coal strike is that the Administration actually created the problem with which it was eventually forced to grapple.

Under the American code of political thinking, principles apply to governments as well as to men. There is not, nor should there be, a higher standard of conduct for John L. Lewis than for Uncle Sam himself. So, in condemning the miners for doing what it had earlier intimated they had every right to do, the Administration found itself in a position lacking both logic and dignity.

As President Roosevelt used to say: "Let's look at the record." That is appropriate here, for it was the late President who, more than any other individual, created the industrial tangle in which his unfortunate successor is caught.

As far back as May 4, 1933, in an address to the Chamber of Commerce of the United States, Mr. Roosevelt made what he himself described as a "definite appeal to the industrial leaders of the country." He urged them, as a matter of continuous policy, "to increase your wage scales in conformity with and simultaneous with the rise of the level of commodity prices, in so far as this lies within your power." Simultaneously the President was embarking on a course of continuous and carefree deficit financing, followed by his Party ever since, which made an eventual upward surge of commodity prices inevitable.

President Roosevelt did not stop with the demand that industry should balance his currency inflation with higher nominal wages, and thereby become an accomplice in the plot against the stability of the dollar. A definite part of New Deal policy was to stimulate monopolistic unionism to force wage increases on employers who would not -- or could not -- grant them voluntarily.

That was the unconcealable purpose of the National Labor Relations Act, commonly called the Wagner Act, which finally became law on July 5, 1935. This "liberal" legislation is now ironic reading, especially its declaration that: "Nothing in this Act shall be construed so as to interfere with or impede or diminish in any way the right to strike."

Because its Constitutionality was -- and still is -- subject to question, those who drafted the Wagner Act boldly pretended that it would protect interstate commerce by preventing labor disputes, saying:

> "It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce . . . by protecting the exercise by workers of full freedom of association . . . for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection."

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Having thus applied narcotics to tortured intelligence, the Wagner Act got down to business. Stripped of verbal camouflage its purposes are: (1) to destroy independent unions; (2) to encourage compulsory organization of labor in great industrial unions; (3) to alienate management and labor and encourage the doctrines of class war by establishing a code of "unfair labor practice" so sweeping as to bring under that definition much honest effort to secure industrial peace.

The Wagner Act has unquestionably done more to encourage industrial unrest, and to discourage production, than all of the abuses attributable to employer arrogance in the long history of such abuses. But three factors have so far prevented its effects from being absolutely disastrous. They are: the dominant patriotic spirit engendered by the war; the sense of responsibility recently shown by the NLRB; the antagonism between AFL and CIO which has so far prevented either from getting the complete stranglehold which the law permits.

The full possibilities of the Wagner Act, however, are not realized until one ponders the clause which rules that the invidious term employer "shall not include the United States, or any State or political subdivision thereof . . ." This law makes it increasingly onerous and difficult to operate a private enterprise. But simultaneously it carefully exempts public ownership from similar burdens.

Obviously the next step, for those who planned to turn the United States into a centralized socialistic State, was to develop governmental controls, looking toward State operation of industry, as private operation was steadily broken down. By January 4, 1939, the program was sufficiently advanced for Mr. Roosevelt to tell Congress, with a frankness unusual in his official Messages, that:

> "The tools of government which we had in 1933 are outmoded. We have had to forge new tools for a new role of government operating in a democracy -- a role of new responsibility for new needs and increased responsibility for old needs, long neglected. . . . The Nation looks to the Congress to improve the new machinery which we have permanently installed."

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Today the Nation looks to the Congress to scrap the jerrybuilt improvisations which President Roosevelt dignified as "new machinery," and to restore, so far as possible, the old role of government in this country. Subject to abuses, but none the less squarely based on principle, the role of American government since 1787 has been to encourage a sense of responsibility in the individual; to discourage the always avid appetite of the State for dictatorial power.

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The entire country, but most particularly organized labor, can find one adventitious advantage in our participation in the war. It may not have destroyed National Socialism in Germany but it unexpectedly delayed growth of the same evil in the United States. In spite of the controls and in spite of the centralization, the war effort blocked development of that "new role of government" demanded by President Roosevelt. The military danger was too urgent; the need for production was too great. Free enterprise had to be trusted and the way in which it responded is recent history. Then Mr. Roosevelt died and the whole grandiose scheme of socialism by indirection fell to pieces.

Its effects, however, are still with us. People remember the impossible promises which were so lightly made, and wonder why at least some of them should not be fulfilled. And nowhere is the disillusionment greater, because nowhere was the deception greater, than in the case of the wage earners.

Labor was told, again and again, that its working hours should be reduced; that its purchasing power should be simultaneously increased; that the right to strike should be strengthened and its organization made monopolistic in order to enforce all this. None can fairly blame the leaders of labor for demanding, when the war was over, these benefits which the Administration so often proclaimed as labor's right.

Nor is it easy for the worker to understand how an Administration which has encouraged industrial pressure against private ownership can regard the same pressure, for the same objectives, as criminal if directed against public ownership. And use of the injunction by government, in cases where its use by a private employer would be illegal, does take some explaining, except to those who believe with the Communists that private ownership is inherently evil, and State dictatorship inherently good.

As the debacle of the New Deal grows ever more complete, it must be realized that organized labor is far more sinned against than sinning. There was understatement in the remark of the old Pittsburgh laborer who declared last Saturday that: "The Government was wrong against the miners." Precisely because it has been so wrong, the revision of labor legislation by the Eightieth Congress must be curative, not punitive, in its design.

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Not Merely Gossip *A Supplement to* Human Events VOL. III, NO. 50

By Frank C. Hanighen December 11, 1946

To the ingenious architects of the World Bank, it seemed that "The world's great age begins anew, The golden years return. . . ." But neither Shelley nor New Deal planning provide solid foundations for a fresh start in international finance. The idea of a world bank was based on the puerile assumption that things would get right back to normal once Hitler was overthrown. Obviously world conditions today are far from that happy state, and the superstructure reared at Bretton Woods begins to look like -- to paraphrase the same poet -- "a wreck from a dissolving dream."

The announcement of the resignation of Mr. Eugene Meyer, President of the World Bank, came as a wholly unexpected surprise not only to the public but also to the Directors of the Bank. Widely respected as he is and with an excellent knowledge of business and finance, the appointment of Mr. Meyer six months ago inspired universal confidence. At the time, however, some suggested that the shrewd and farsighted newspaper publisher had prepared his exit in case the Bank ran into heavy weather. He has now decided that his tenure was only temporary. The New York Times (December 8) correctly interprets Mr. Meyer's resignation as a "serious blow" to the whole World Bank project.

Resistance of the market in which World Bank securities would be offered may have prompted Mr. Meyer to make a decision as to his departure. The Wisconsin Banking authorities restricted that state's investments in the Bank's proposed debentures, reflecting a wide resistance among those in charge of the investment portfolios of savings banks and insurance companies throughout the country. How could it be otherwise? -- ask financial observers. A loan to France is first on the Bank's agenda. How could any bank or insurance official or individual invest money in a State where the principal political party is the Communist Party?

Such a question should serve as a reminder to global planners that the world today cannot be considered "normal" as was the post-war world of 27 years ago. Additionally, the fact that Soviet Russia is not a member certainly, in a very important sense, deprives the institution of its claim to be a "world" bank.

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The Ides of November this year again brought a crop of rumors that Stalin is in failing health. This column has not been able to obtain any confirmation of these reports from reliable official sources. Some observers believe that the stories arose solely from the fact that Stalin did not appear in Red Square early in November at the anniversary celebration of the Bolshevik revolution. It is recalled that the Russian leader was absent, for the first time in many years, from that function last year.

But if Stalin should die soon, it is believed that his most likely successor would be Georgi M. Malenkov. This prominent member of the Politburo was mentioned (as were Zdhanov, Molotov, Beria and others) as a possible successor by William Henry Chamberlin in HUMAN EVENTS, November 14, 1945. At that time, Mr. Chamberlin assigned more importance to Zdhanov than to the others. It is believed, however, that today Zdhanov occupies a less prominent position for he was not named this year to the Council of Ministers, to which body Malenkov was appointed Deputy Chairman in October. The latter is considered to be the controlling figure in the Communist Party. His closest competitor seems to be Beria, head of the police system, and recently named to head atomic research. Molotov is discounted as a serious candidate, because of his prominence abroad. The ingrained Russian suspicion of

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anyone who has much to do with foreigners would be sufficient, it is believed, to disqualify the hard-working Foreign Secretary.

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"It is unfortunate," remarked the British correspondent at a luncheon table in Washington, "that you don't seem to be able to use John L. Lewis in some constructive way. Whether he's right or wrong in this coal strike, he's obviously an enormously able and resourceful man. But he's a labor leader, and you apparently don't want a labor leader in any place save in a union." One of the Americans at the table replied, "What you're really saying is that the shoe's now on the other foot -- that we have class distinctions."

"Something like that," went on the Britisher. "After all, Ernie Bevin as a labor leader used to be as detested in England as Lewis is now. But we made him Foreign Minister, and he's turned out to be one of the best we ever had." A labor reporter cut in: "But John Lewis has no interest in foreign affairs, cares nothing about what goes on abroad. He's narrow and wouldn't be any good at such a job." "There's where you are wrong," retorted the foreign affairs commentator, "I've heard him privately discuss the foreign situation and he has a good grasp of it. And I happen to know that he helped subsidize anti-Communist labor organizers who followed our troops into France in 1944."

"What I've always said," mused the Foreign Service official, "is that Lewis would have made the best Ambassador to Russia. He's tough enough to have dealt firmly with Stalin. I can imagine how he would have done it. When he went to the Kremlin to present his credentials, he would have boomed, 'I'm the U. S. Ambassador. Who are you?' A little man across the table would have timidly replied, 'I'm Molotov.' To which Lewis would have retorted, 'What's your real name?'"

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The meek Hindu cow seems to have been transformed into a bull. American official circles are frankly disturbed by the growing militancy and intransigence of the predominantly Hindu Congress Party. These circles, in the past inclined to sympathize with the Hindus as against the British and the Moslems, now believe the worm has turned and with a reaction dangerous to the future of India. The breakdown of the London conference last week is attributed to Congress Party stubbornness. The British called together leaders of the various Indian groups. The Hindus went reluctantly and their attitude towards concessions to Moslems proved an insurmountable barrier to agreement. The British who inclined more favorably to the Congress Party than to the Moslem League in the last six months, now find the Moslem viewpoint the more reasonable.

The situation is one of great danger, especially with its prospect of a renewal of the Moslem-Hindu rioting which has already cost some 30,000 casualties. Formerly it was the Hindus who suffered most from communal riots, turning the other cheek in the Gandhi manner. Today American observers just returned from India say that the Hindus in the past month's civil disturbances fought ferociously and that there were more Moslem than Hindu dead. This news inspires fear in Washington that all-out civil war is imminent.

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Production of coal, at least for this winter, appears to be a settled matter. But one thing continues to worry us: the rather indiscriminate use of the word "sovereignty" in the many impassioned comments on the late unpleasantness with Mr. Lewis. It may be news to some, but certainly not to students of political theory, that "sovereignty" is very difficult to locate in the constitutional structure of the United States. Some political theorists insist that there is no sovereignty,

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properly considered, in our federal system. The theory of sovereignty was first authoritatively stated by Jean Bodin (1520-1596), who said it was the supreme power over citizens and subjects, unrestrained by laws. Neither Congress, the Executive, nor the Judiciary, all or separately, possess this "supreme power." Willoughby places it in the amending power, but others arise to confute him with the reminder that the power to amend the Constitution is limited by the exception that no state shall, without its own consent, be deprived of its equal suffrage in the Senate. The Founding Fathers with their checks-and-balances idea made sausage out of Bodin.

The National Coal Owners Association, or any editorial writer, may dismiss all this as quibbling. The courts, not the least that of Judge Goldsborough, seem to have satisfied themslves as to the definition of sovereignty. But how intelligent are legal definitions? A learned legal friend tells us that a Justice of the Supreme Court once defined an oyster as a "stationary fish" -- a description as unsatisfying to us as to any biologist. Certainly the quest for an acceptable theory of American sovereignty, no unimportant matter, must go on. Meanwhile, perhaps the most persuasive conclusion we have found in our attempt to follow the wrangles of the political theorists over the word "sovereignty" is that, as one writer put it, "in the political vocabulary it is not an essential word, and its employment has a tendency to loose thinking and easy solutions."

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When State Department officials apprehensively mount Capitol Hill seeking funds from the economy-minded 80th Congress, they will have what they consider to be a strong sales talk for at least one category of appropriations -- Germany. Contradicting the prevalent conception among legislators that the British always get the better of us in a bargain, State Department circles claim that we have come out on top in the Anglo-American agreement to subsidize the new economic plan for Germany. And the assertion appears to be substantially correct.

The British came here with a proposal that the United States assume 80 per cent of the burden, themselves taking only 20 per cent. The State Department negotiators objected and carried on the argument so skillfully that they finally managed to reach a straight 50/50 agreement. The stick with which they threatened the British was a warning that the budget-balancers on the Hill might reject any 80/20 arrangement. The weapon was effective. For the British mission has become conspicuously nervous about what the new Republican legislature might do in the way of cutting appropriations for foreign commitments.

The British feel that the State Department has driven too sharp a deal. They express fears lest they may lack enough dollar exchange to pay for certain goods which they will have to obtain for Germany. It is known that the British sought to get the White House to intercede with State to modify the 50/50 deal, but in vain. State dismisses the British fears as groundless.

Certainly the new Anglo-American economic fusion plan, for which these funds are intended, promises well. Briefly, it proposes that the United States underwrite the food supply for both British and American zones during the period of economic rehabilitation, while the United Kingdom will pool the vastly greater resources of the British zone with those in the American zone. The objective will be to create an economy which, it is hoped, will become self-supporting by 1949. Food and raw materials (to supply German industry) will be paid for out of the pool composed of joint British and American appropriations. Some observers doubt that the plan will achieve German self-sufficiency by 1949, such is the magnitude of the task. And, if it is protracted, what really amounts to reparations to Germany under the Potsdam folly may prove very unpopular with the American people and their representatives. Whatever the eventual result in this country, all observers agree that Britain and the United States have taken the first really constructive step in their government of Germany.

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Notes and Quotes

An editorial in the Wall Street Journal, which appeared (December 5) before the coal strike ended, is an intelligent criticism of those who seek to personalize big issues and to depict them in "cops-and-robbers" terms: "This newspaper has no disposition to defend the conduct of Mr. John L. Lewis, but we seriously doubt that the peculiar power of Mr. Lewis arises from the fact that he has bushy eyebrows, because he is arrogant or because he has a love for the theatrical which often seems to supersede his judgment. It is almost certain that another man in Mr. Lewis' place would act as does Mr. Lewis and there is a chance that he might act very much worse. Mr. Lewis has the power he has because it was deliberately given to him by laws which exempted him from legal restraints that apply to other people. . . .

"A man with that power will probably use it in any case. If he is the leader of other men, he will have to use it. If he does not, some ambitious man will go to his followers and point out that their leader is doing for them less than his power would enable him to do; he will suggest that if they change leaders, they will benefit. It is the power and the opportunity to use it that is important. Whether the man holding the power is named Lewis or Smith or Jones is not important. He will act as he does because he can do nothing else."

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Through a glass darkly, over a century ago: "Who can foretell, whether the two gigantic figures that are now rising above the horizon, the one in the East with one foot in Moscow and one just ready to fall on Constantinople, the other in the West, as yet half hidden by the vast forests of the New World, whose huge limbs stretch from the mouths of the St. Lawrence to those of the Mississippi; who can foresee, whether these youthful Titans, who are watching each other across the Atlantic, and already touch hands on the Pacific, will not soon divide the empire of the world?" (Michel Chevalier, Society, Manners and Politics in the United States, translated from the French; Boston: Weeks, Jordan and Company, 1839.)

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The Elliott Roosevelt "story," in newspaper parlance, is changing its category: it becomes less "Roosevelt" than "Elliott"; less "political problem" than "problem child." Elliott, in short, has joined the hallowed company of Tommy Manville and Doris Duke, on page 3. The controversy over his book, As He Saw It, is significant. The question a few months ago was: "Is it true?" The question today is: "Who wrote it?" Newspaper columnists doubt that Elliott wrote the book; and think that whoever did the job was a professional journalist. We hear that the "ghost" was Quentin Reynolds.

If that be so, how reminiscent of a sort of boozy Leftism which has marked the past decade! The name of Quentin Reynolds is redolent of a certain atmosphere of the early Forties: collections for Russian Relief in El Morocco; Mike Romanoff fighting Fascism in the Stork Club; the New Yorker dropping its beautiful languor to praise Joe Curran, etc., etc. But has this phase really passed into history? Perhaps not. It may be that the mission of Elliott, possibly assisted by Mr. Reynolds, will be to wage a last-ditch fight to maintain the pink complexion of "cafe society."

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Obiter dictum by Benjamin Stolberg, when he heard about the thumping fine which Judge Goldsborough had levied on the miners: "The Democrats have given the Republican National Committee a donation of $3,500,000."

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